

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Transport Department - Sri J.Santhakumar, Joint Transport Commissioner (Retired) - Payment of interest on the delayed payment of gratuity - Sanction - Orders - Issued

TRANSPORT, ROADS & BUILDINGS (VIG.III) DEPARTMENT

G.O.Rt.No. 186

Dated: 05-02-2009.

Read the following:

- 1) G.O.Ms.No.268, Finance & Planning (FW.Pen.I) Department, Dated 7.10.1986.
- 2) G.O.Rt.No.331, T,R&B (Ser.IV) Department, Dated 23-3-2006.
- 3) G.O.Rt.No.1310, T,R&B (Vig.III)Department Dated 14.12.2006.
- 4) Orders of A.P.A.T in O.A.No.3914/2007 with VMA No.771/2007 Dated 17.01.2008 filed by Sri J.Santha Kumar, Joint Transport Commissioner (Retired).
- 5) Judgement Dated 16.10.2008 of Hon'ble High Court of A.P in W.P.No.22346/2008 filed by Government.
- 6) Orders of Hon'ble Lokayukta Dated 19-08-2008 in Complaint No.1423/2004/B2 communicated through Lr.Dis.No.1423/2004 /B2/ 10831/ 2008 Dated 29.10.08.
- 7) G.O.Rt.No.1657,T,R&B(Vig.III)Department, Dated 10.11.2008.

ORDER:

Sri J.Santhakumar, Joint Transport Commissioner retired on 31.03.2006 AN on attaining the age of superannuation. Consequent on the pendency of a complaint before the Hon'ble A.P Lokayukta, orders were issued in G.O. 3rd read above sanctioning 75% of normal eligible pension as provisional pension.

2. Sri J.Santha Kumar, Joint Transport Commissioner (Retired) filed O.A.No.3914/2007 for release of full pensionary benefits. The Hon'ble Tribunal in its orders 4th read above directed the Government to release the full pensionary benefits to him with interest. Government filed a Writ Petition No.22346/2008 in the High Court of Andhra Pradesh against the said orders of Hon'ble Tribunal. The Hon'ble High Court in its judgement 5th read above directed the Government to release the retiral benefits to the first respondent (Sri J.Santha Kumar) within a period of fifteen days from the date of the order without interest and if the retiral benefits are not paid within 15 days, from the date of the order the first respondent is entitled to interest as per the G.O. 1st read above.

3. In the mean time the Hon'ble A.P Lokayukta through the letter 6th read above has rejected the complaint petition against Sri J.Santhakumar as not maintainable.

4. Government after careful examination of the matter hereby accord sanction for payment of Rs.39,084/- (Rupees Thirty Nine Thousand and Eighty Four Only) towards the interest on the delayed payment of gratuity to Sri J.Santhakumar, Joint Transport Commissioner, (Retired) in terms of the orders issued in the G.O. 1st read above and further instructions issued from time to time thereon by the government.

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5. This order issues with the concurrence of Finance Department vide their U.O.No.1528-A/21/A1/Pen.I/09, Dated 4.2.2009.

6. The Transport Commissioner, Andhra Pradesh shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASHWINI KUMAR PARIDA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Transport Commissioner, A.P, Hyderabad.

Copy to:

The Individual through the Transport Commissioner, A.P, Hyderabad.

The Accountant General, A.P. Hyderabad.

The Government Pleader for TR& B Department, Andhra Pradesh,
Administrative Tribunal, Hyderabad.

The Finance (Pen.I) Department (1528-A/21/A1/Pen.I/09).

SF/SC.

//Forwarded:: By: Order//

SECTION OFFICER